

Adopted Minutes
Spanish Fork City Development Review Committee
May 15, 2019

Staff Members Present: Seth Perrins, City Manager; Dave Anderson, Community Development Director; Brandon Snyder, City Planner; Kelly Peterson, Electric Superintendent; Tom Cooper, Electric Utility Planner; Junior Baker, City Attorney; Michael Clark, Staff Engineering; Jered Johnson, Engineering Division Manager; Bart Morrill, Parks Maintenance Supervisor; John Little, Chief Building Official; Brady Taylor, Lead Cable Technician; Shelley Hendrickson, Engineering Division Secretary; Jessica Burdick, Building Inspection Division Secretary; Jason Sant, Assistant City Attorney

Citizens Present: Craig Chagnon.

Dave Anderson called the meeting to order at 10:05 a.m.

APPROVAL OF MINUTES

March 6, 2019

March 20, 2019

March 27, 2019

Junior Baker **moved** to approve the March 6, March 20 and March 27, 2019 DRC minutes, with the changes made.

Jered Johnson **seconded** and the motion **passed** all in favor.

CONDITIONAL USE PERMIT

1150 East 2019 Cell Tower Modification

Dave Anderson explained that this application is for the addition of equipment to the top of the existing cell tower.

Junior Baker asked, if they're just adding to the existing tower, do they need a Conditional Use Permit?

Dave Anderson said yes, they do.

Jason Sant stated that, though the lease doesn't expire for a few years, he is in negotiations with the tower owner regarding lease renewal.

Junior Baker **moved** to recommend approval of the 1150 East 2019 Cell Tower Modification Conditional Use Permit, subject to the applicants following the current conditions.

Kelly Peterson **seconded** and the motion passed all in favor.

300 East 2019 Cell Tower Modification

Dave Anderson stated that he has never like the idea of this tower being in the park.

Junior Baker explained that the lease for this tower expires in two to three years.

Tom Cooper explained that the tower was existing when we built the park, we built around it.

Junior Baker said that the City talked to the tower owners at the time we built the park regarding moving it. We're counting on not renewing the lease when it comes up, however, Junior stated that he believes Seth Perrins feels that we should leave it. Junior further stated that the tower is partially on City property and partially on UDOT's property.

Bart Morrill stated that he thought the tower would be removed when the lease ends. However, he recently talked with someone from Crown Castle about the tower and the damage done to the park when they service it, and Crown Castle made it sound like the tower was staying.

Junior Baker asked what the modification is for this Conditional Use Permit.

Kelly Peterson stated that they are just adding antennas.

Junior Baker **moved** to recommend approval of the 300 East 2019 Cell Tower Modification Conditional Use Permit subject to the applicants complying with the existing conditions, and with the understanding that when the lease expires, we will not renew it.

Jason Sant stated that he is currently in negotiations with Crown Castle, but if that's the motion, he's okay with it.

Dave Anderson said we probably will want to have a sit down with their guy to talk it through, but he feels that is the right thing to do, and it goes beyond just aesthetics.

Seth Perrins entered the meeting at 10:12 a.m.

Jered Johnson **seconded** the motion. There was discussion on the motion.

Seth Perrins asked if that's the recommendation.

Junior Baker feels that the Planning Commission would approve it.

Seth Perrins asked for a description of the tower modification.

Dave Anderson explained that they are changing out the antennas.

Kelly Peterson said the antennas are just a little bit bigger at the top.

Dave Anderson summarized that we're recommending that the Conditional Use Permit be approved, and noted that the Planning Commission has no input on the lease.

Junior Baker agrees, but he wants Crown Castle to know that we will not be renewing the lease. He doesn't want them wasting money on modifications or improvements if the lease is expiring soon.

Seth Perrins stated that he doesn't feel moving the tower would be a good idea. He'll be voting no on Junior's motion, even though he is not opposed to the Conditional Use Permit.

Dave Anderson asked for more clarification on why Mr. Perrins is against relocation.

Craig Chagnon entered the meeting at 10:16 a.m.

Dave Anderson summarized the discussion so far, for Craig's benefit. He explained that we're wondering if this is the right place for this tower, after the lease expires. Our

perception since the park was built is that the longevity of the tower there was limited, that it would be relocated.

Junior Baker stated that, when we bought the property for the park, we talked to them about relocation of the tower at the end of the lease. That is within 2-4 years.

Craig Chagnon said that is a short window of notice, and they would rather extend leases, rather than moving towers.

Junior Baker said he wants to see it moved at the end of the lease. There is a property near there on which the tower can be placed. He further stated that is his motion. To approve the Conditional Use Permit, but not renew the lease.

Seth Perrins feels that moving the tower will be a big disruption to the park and to the new location. The removal is a greater problem to the park than the eyesore itself. Seth stated that he defers to Bart Morrill in regards of damage to the park. They'd have to move some utilities associated with it to a new location just for visual purposes. Moving the tower would be more disruptive to the park.

Bart Morrill stated he always thought it would go away.

Craig Chagnon reiterated that relocation is not desirable and is expensive. But, if terms dictate that's what needs to happen, then they have seen much worse than this distance of a move. They have a specific employee who will deal with relocation, but Mr. Chagnon's goal today is to get the Conditional Use Permit approved.

Junior Baker **made an amended motion** to recommend approval of the 300 E 2019 Cell Tower Modification Conditional Use Permit subject to the applicants complying with the existing conditions.

Jered Johnson **seconded** the amended motion. There was further discussion.

The motion **passed** all in favor.

Dave Anderson asked how the City could talk through the tower being relocated, what the best way to do so?

Craig Chagnon said they have an employee who handles relocation. His name is Rick Standard.

Dave Anderson stated he'll reach out to Rick.

Seth Perrins feels we need find out the needs and their service window. The idea of cell towers going away is a bad idea. It could happen, it is our ground, but the idea of getting rid of them is a bad idea. We do need to understand the impact on the park from the tower and modifications, it's good to discuss, but Seth doesn't feel right about moving it just because we don't like the location. The tower was put in place 10 years ago.

500 South 2019 Cell Tower Modification

Dave Anderson stated that this cell tower is not on City property.

Brandon Snyder explained that the applicant is swapping out antennas on an existing tower.

Junior Baker moved to recommend approval of the 500 South 2019 Cell Tower Modification Conditional Use Permit subject to the applicant meeting the existing conditions for that site.

John Little seconded, and the motion passed all in favor.

SITE PLAN

Legacy Farms Off-site Sewer

Seth Perrins began by stating that he has given the Engineering folks direction to bring these City projects to DRC.

Mike Clark said this is a Fieldstone project, not a City project. The project will go under the railroad into an existing neighborhood and he wasn't sure how to go about this so he brought it to DRC.

Jered Johnson said it's a change to how the Preliminary Plat was perceived.

Mike Clark noted that there are a couple of issues. He discussed how the pipe is going to connect. They were going to have the sewer come from the White Rail development, but

now they're bringing it up north. This would make it so Fieldstone can develop more in the area.

There was discussion using the map on screen.

Dave Anderson clarified that getting the sewer service to the north west part of Legacy Farms would happen sooner because of the crossing.

Mike Clark said it could. The fact that they have submitted makes him think it's sooner.

Jered Johnson said this is just another connection, and it's not a bad idea. For them to pay to put this in, it's good. It will change their phasing plan, which will put pressure on us to build the road.

Mike Clark said we are waiting for the approval from the railroad.

Dave Anderson feels that the pressure to get the railroad crossing built and the road built to SR 51 gets ramped up because of this. That is not a bad thing.

There was further discussion.

Kelly Peterson said that if this changes their phasing, the power will have to come from a different direction.

There was further discussion.

Jered Johnson stated that we don't need to have a motion on this. They'll need an excavation permit and we can refund them their Site Plan fee.

Jered Johnson moved to adjourn the meeting at 10:45 a.m.

Seth Perrins seconded and the motion passed all in favor.

Adopted: June 5, 2019

Jessica Burdick
Building Inspection Division Secretary